

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Newport News Division

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BOBBY BLAND, DANIEL RAY CARTER,  
JR., DAVID W. DIXON, ROBERT W.  
McCOY, JOHN C. SANDHOFER and  
DEBRA H. WOODWARD,

Plaintiffs,

v

4:11cv45

B. J. ROBERTS, individually,  
and in his official capacity as  
Sheriff of the City of Hampton,  
Virginia,

Defendant.

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DEPOSITION UPON ORAL EXAMINATION OF

BOBBY BLAND

Taken on behalf of the Defendant

Newport News, Virginia

August 22, 2011

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INGRAM REPORTING  
2520 Queens Elm Place  
Virginia Beach, Virginia 23454  
(757) 481-0935

INGRAM REPORTING  
Virginia Beach, Virginia

**Exhibit 23**

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: James A. Shoemaker, Jr.  2 Patten, Wornom, Hatten &amp; Diamonstein,  3 L.C.  4 12350 Jefferson Avenue, Ste. 300  5 Newport News, Virginia 23602  6 Attorneys for the Plaintiffs</p> <p>7  8 Jeff W. Rosen  9 Pender and Coward  10 222 Central Park Avenue, Suite 400  11 Virginia Beach, Virginia 23462  12 Attorneys for the Defendant</p> <p>13  14 -----oOo-----</p> <p>15  16  17  18  19  20  21  22  23  24  25 REPORTED BY: Marjorie F. Ingram</p>	<p style="text-align: right;">Page 4</p> <p>1 Deposition of BOBBY BLAND, taken before  2 Marjorie F. Ingram, Court Reporter, a Notary Public  3 for the State of Virginia at Large, by Notice of  4 counsel as to the time and place, at the offices of  5 Patten, Wornom, Hatten and Diamonstein, L.C., 12350  6 Jefferson Avenue, Newport News, Virginia, at 9:00  7 a.m., August 22, 2011, to be used in the trial of  8 the above-entitled cause.</p> <p>9  10  11 -----oOo-----</p> <p>12  13 BOBBY BLAND, called as a witness, having been  14 first duly sworn, was examined and testified as  15 follows:</p> <p>16  17 EXAMINATION</p> <p>18  19 BY MR. ROSEN:</p> <p>20 Q. Good morning, Mr. Bland.</p> <p>21 A. Good morning.</p> <p>22 Q. My name is Jeff Rosen, and I  23 represent Sheriff Roberts in the lawsuit that  24 you filed against him. We're here today to take  25 your deposition. Do you know -- do you know</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX</p> <p>2</p> <p>3 WITNESS PAGE</p> <p>4 BOBBY BLAND</p> <p>5 Examination by Mr. Rosen 4, 85</p> <p>6 Examination by Mr. Shoemaker 82</p> <p>7  8  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>	<p style="text-align: right;">Page 5</p> <p>1 what a deposition is?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Okay. It's a chance for me to ask  4 you questions about what you know about the case  5 and obviously, since you're a plaintiff, it's  6 going to take a little time to find out what you  7 know and what the basis of your allegations are.</p> <p>8 If there's any question that I ask  9 you that you don't understand, let me know and  10 I'll be glad to rephrase it. Otherwise, I'll  11 assume you understand my question and will rely  12 on your answers. Do you understand?</p> <p>13 A. Yes, sir, I do understand.</p> <p>14 Q. Also, this is being taken down by a  15 court reporter, and you must answer verbally. A  16 nod or the shake of the head does not show up in  17 the transcript?</p> <p>18 A. Correct. I understand.</p> <p>19 MR. SHOEMAKER: And keep your voice  20 up, too, so we can all hear.</p> <p>21 THE WITNESS: Okay.</p> <p>22  23 BY MR. ROSEN:</p> <p>24 Q. Please state your full name and  25 address.</p>

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1 A. Bobby Ray Bland. The address is 20  
2 Kettering Lane, Hampton, Virginia. Zip code is  
3 23666.  
4 Q. And what's your date of birth?  
5 A. My date of birth is June 22, 1950.  
6 Q. Okay. And you married, sir?  
7 A. Yes, I am.  
8 Q. What's your wife's name?  
9 A. My wife's name is Eva. E-V-A.  
10 Q. Uh-huh. Any children?  
11 A. Yes. I have a daughter, Chandra  
12 (sic).  
13 Q. And how old is Chandra.  
14 A. Chandra is 32.  
15 Q. Uh-huh. Okay. And just give me  
16 briefly your educational background, if you  
17 would for me.  
18 A. I'm sorry?  
19 Q. Educational background.  
20 A. Graduated from high school in 1968,  
21 Horton High School in Pittsboro, North Carolina.  
22 I attended Kittrell Junior College, which is  
23 located in Kittrell, North Carolina.  
24 Transferred from the junior college from North  
25 Carolina to North Carolina Century University in

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1 Durham, North Carolina, and that was in 1970  
2 that I went to Durham.  
3 Q. Did you graduate?  
4 A. No, I didn't.  
5 Q. Okay. So you have a -- an  
6 associates degree?  
7 A. Associates degree.  
8 Q. Associates degree. In what field?  
9 A. Business.  
10 Q. Just general business?  
11 A. Yes.  
12 Q. Okay. All right. And what year  
13 did you -- well, did you go continuously from  
14 high school to junior college to North Carolina  
15 Century?  
16 A. North Carolina Central.  
17 Q. Central. Did you go continuously?  
18 A. Yes.  
19 Q. All right. And so when was the --  
20 when did you leave North Carolina Central?  
21 A. I left in the summer of '72.  
22 Q. Okay. And why did you not complete  
23 your education there?  
24 A. The reason I didn't complete it  
25 is -- and I always wanted to join the Air Force,

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1 and I had an opportunity to do that. So I  
2 joined the Air Force.  
3 Q. In 1972?  
4 A. I joined the Air Force in 1974.  
5 Q. Okay.  
6 A. I worked a couple of years. I was  
7 a short of funds, I think, during that time  
8 frame is one of the reasons I did not finish, so  
9 I worked during that time frame. And then I  
10 joined the Air Force after that.  
11 Q. Okay. So you worked from '70 --'72  
12 to '74?  
13 A. Seventy-two to '74.  
14 Q. And where did you work?  
15 A. I worked at the Population Center  
16 in Chapel Hill, North Carolina.  
17 Q. What is that?  
18 A. What is the Population Center?  
19 Q. Yes.  
20 A. The Population Center is a -- it's  
21 a world population. They -- I was -- I -- I --  
22 I worked at the Population Center, but it had  
23 nothing to do with the population center. I was  
24 running copies for the Population Center.  
25 Q. You mean photocopying?

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1 A. Yeah. Photocopying.  
2 Q. Making photo copy -- copies?  
3 A. Correct.  
4 Q. Okay.  
5 A. But the Population Center was -- it  
6 took into account all the population of the --  
7 of the world.  
8 Q. Is that an international  
9 organization?  
10 A. Yes, sir.  
11 Q. Okay. All right. So you were  
12 making photocopies?  
13 A. Correct.  
14 Q. Did you work in the mail room?  
15 A. Correct.  
16 Q. Did you work for actually the  
17 Population Center or for a subcontractor?  
18 A. It was basically for a  
19 subcontractor.  
20 Q. Subcontractor?  
21 A. Of the Population Center.  
22 Q. And what's the name of that  
23 company?  
24 A. It was Frank, gosh. It was for the  
25 Population Center. Let me rephrase. It was the

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1 Population Center that I worked for.  
2 Q. Uh-huh.  
3 A. And I worked for Frank Greeman  
4 (sic), I think, is what his name. He worked  
5 also for the Population Center.  
6 Q. That was your supervisor.  
7 A. That was my supervisor, correct.  
8 Q. All righty. And how -- and --  
9 A. I'm sorry.  
10 Q. -- and you worked there for two  
11 years?  
12 A. Yes, sir.  
13 Q. All right. Then you say you joined  
14 the Air Force?  
15 A. Yes, sir.  
16 Q. All right. And what rank did you  
17 go in?  
18 A. What rank did I go in?  
19 Q. Yes. Were you enlisted?  
20 A. Yes, sir.  
21 Q. Enlisted. Okay. And what was your  
22 -- how long were you in the Air Force?  
23 A. Twenty-four years.  
24 Q. So did you retire from --  
25 A. Yes, I did.

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1 Q. Okay. Retired from the Air Force.  
2 And what rank did you end up  
3 retiring at?  
4 A. Master Sergeant, which is an E-7.  
5 Q. And what was -- just describe your  
6 career for me in the Air Force.  
7 A. The career in the Air Force was  
8 accounting and finance career field.  
9 Q. Accounting and finance?  
10 A. Finance career field, correct.  
11 There are different subject matter areas in --  
12 in the Air Force. My first job was a pay clerk.  
13 That was taking care of the accounts of the  
14 members.  
15 Q. Paying accounts?  
16 A. Paying accounts --  
17 Q. Uh-huh.  
18 A. -- of members, correct.  
19 Q. Okay. And then were you promoted  
20 in that position?  
21 A. And then subsequently, you do other  
22 jobs in the -- in the Air Force. You go up from  
23 pay accounts. You might work travel accounts.  
24 You would also work accounts payables. Another  
25 SMA would be commercial services. Another

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1 account would be material section. Another  
2 would be the commissary section. Another SMA  
3 and further, as long as you are up, go up to  
4 supervisory level, so my last position was the  
5 superintendent, Superintendent of Finance. And  
6 that -- that was at Pope Air Force Base.  
7 Q. That was your last position?  
8 A. That was my last position, yes.  
9 Q. And how much did you earn as a  
10 Superintendent of Finance at Pope Air Force  
11 Base?  
12 A. As an E-7 back in -- at the end of  
13 my career which was 1998, it would have been  
14 approximately 45 plus.  
15 Q. You mean pay you more than 45 or  
16 plus benefits. What do you mean?  
17 A. Well, benefits was -- it was -- it  
18 was probably more. I don't know the exact  
19 amount, but it was probably \$45,000 upward,  
20 between 45 and 50,000.  
21 Q. Okay. All right. And did you  
22 retire when you left the military?  
23 A. Yes.  
24 Q. So you are drawing your military  
25 retirement?

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1 A. Correct.  
2 Q. As of that time?  
3 A. Correct.  
4 Q. About how much do you draw in  
5 military retirement?  
6 A. Retirement pay right -- right now  
7 is approximately about 23,000 a year.  
8 Q. And you drew that the entire time  
9 you were employed by the Newport News Sheriff's  
10 Department? Hampton. Sorry. Hampton Sheriff's  
11 Department. Okay. Strike me down now.  
12 MR. SHOEMAKER: Tell you're from  
13 the Beach.  
14 MR. ROSEN: Strike me down now,  
15 right. Sorry, Sheriff. I got your name  
16 here. I don't have the Sheriff's  
17 Department. Write that down right now.  
18  
19 BY MR. ROSEN:  
20 Q. You have been drawing that  
21 retirement throughout the time you were working  
22 for the Sheriff's Department?  
23 A. Since I retired from the Air Force,  
24 yes, sir.  
25 Q. All righty.

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1 All right. And is your wife  
2 employed as well?  
3 A. Currently?  
4 Q. Yes.  
5 A. No, she's not.  
6 Q. Okay. Was she employed?  
7 A. Yes, she was.  
8 Q. Where -- where did she work?  
9 A. Originally, she worked at the City  
10 of Hampton.  
11 Q. Uh-huh.  
12 A. And then subsequently, she moved  
13 over to the Hampton Sheriff's Department as the  
14 Human Resource person.  
15 Q. And so she worked at the Hampton  
16 Sheriff's Department as the Human Resource  
17 person. That's what I thought. Okay. And when  
18 did she leave the Hampton Sheriff's Department?  
19 A. About June of 2009, I think, was  
20 the date approximately.  
21 Q. And why did she leave the Hampton  
22 Sheriff's Department?  
23 A. I'm not quite sure. You will  
24 probably have to, you know, get with her. I  
25 think it was a disagreement. She was not

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1 demoted, but another person was put over her --  
2 Q. Uh-huh. Okay.  
3 A. -- is why she probably left.  
4 Q. All right. And who was that?  
5 A. Tammy Underpet (sic).  
6 Q. How do you spell that? Do you  
7 know?  
8 A. No, sir. I -- I don't know the  
9 correct spelling of Underpet.  
10 Q. Okay. Are you claiming that the  
11 fact that your wife had someone put in as a  
12 supervisory position over her is retaliation in  
13 this case?  
14 A. I would say she resigned from her  
15 position because of that situation.  
16 Q. Are you claiming that --that was  
17 retaliation as a result of you being -- not  
18 rehired by the Sheriff's Department?  
19 A. No, sir. I'm not talking --  
20 claiming any retaliation purpose. I'm just  
21 stating the fact that she was -- she was -- she  
22 resigned her position because of a situation  
23 that happened at the Sheriff's Department.  
24 Q. Okay. How long was she in Human  
25 Resources? Was she the Human Resources Director

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1 at the Hampton Sheriff Department?  
2 A. She was the, yes, sir, she was the  
3 Director of Human Resources.  
4 Q. How long did she hold that  
5 position?  
6 A. A couple of years. Two or three  
7 years, if I can remember correctly, sir.  
8 Q. So did she continue on as Human  
9 Resource Director after you were not rehired?  
10 A. She resigned her position before I  
11 was not reappointed.  
12 Q. Okay.  
13 A. She was -- she left in June of  
14 2009, I think, and I left in December of 2009.  
15 Q. Did you suspect that you would not  
16 be reappointed after the election?  
17 A. It was a -- sir, it was a total  
18 shock that I was not reappointed. I feel that I  
19 should -- I was shocked that I was not appointed  
20 back in my position.  
21 Q. Okay. Now, I wanted to get -- I'll  
22 get to that. So was the Sheriff's Department  
23 the first civilian job you had after retiring  
24 from the military?  
25 A. The first civilian job I had was

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1 with Thomas Nelson Community College.  
2 Q. And what position did you obtain  
3 with them?  
4 A. I was accounts payable or  
5 accounting technician was the proper job.  
6 Accounting technician for Thomas Nelson.  
7 Q. And -- and what time frame did you  
8 work there?  
9 A. That would have been from -- it was  
10 in 2000. I'm sorry, 1998 to 2000. Probably I  
11 went in about October, November, time frame of  
12 '98, and I left there probably November of 2000.  
13 Q. And why did you leave?  
14 A. For higher salary.  
15 Q. Okay. What were you earning when  
16 you left Thomas Nelson?  
17 A. It was probably about 20,000,  
18 approximately.  
19 Q. And -- and where did you -- leave  
20 or where did you go after that?  
21 A. I'm sorry, sir?  
22 Q. Where did you go to after that for  
23 employment?  
24 A. I went to Hampton Sheriff's  
25 Department after that.

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1 Q. How did you obtain a job with the  
2 Hampton Sheriff's Department?  
3 A. I had a call from one of the former  
4 co-workers at Thomas Nelson, indicating that  
5 there was a need for a person with accounting  
6 background for the canteen office at the  
7 Sheriff's Department, and she wanted to know was  
8 I interested in that position, and I told her I  
9 would be interested in that position.  
10 Q. Do you remember who that was?  
11 A. I can't recall her name right now,  
12 sir.  
13 Q. Okay. And so -- and after that --  
14 to follow up with that, did you contact someone  
15 at the Sheriff's Department?  
16 A. Yes, sir.  
17 Q. Who did you contact?  
18 A. I was interviewed or contacted by  
19 Ms. Debra Davis.  
20 Q. Did you know Ms. Davis before going  
21 to work for the Sheriff's Department?  
22 A. No, sir.  
23 Q. Was your wife working for the City  
24 of Hampton at the time?  
25 A. At that time, yes, sir. She was.

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1 Q. She was. Okay. And so did you --  
2 did you fill -- fill out an application with the  
3 Sheriff's Department?  
4 A. Yes, sir. I believe I filled out  
5 an application.  
6 Q. Okay. Did you know anyone at the  
7 Sheriff's Department before applying for a job  
8 there?  
9 A. No, sir. I did not know anyone.  
10 Q. Who was the sheriff at the time?  
11 A. Sheriff Roberts was the sheriff.  
12 Q. Okay. What was Ms. Davis' position  
13 with the Sheriff's Department at the time?  
14 A. She was Director of Administration.  
15 Q. And so -- and -- and -- is she the  
16 one that hired you or did you interview with  
17 Sheriff Roberts as well?  
18 A. I interviewed with Ms. Debra Davis.  
19 Q. And she hired you?  
20 A. Yes, sir, with the approval of  
21 Sheriff Roberts.  
22 Q. Did you meet Sheriff Roberts before  
23 you were hired?  
24 A. I met Sheriff Roberts at one of his  
25 staff meetings.

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1 Q. You mean after you were hired?  
2 A. After I was hired, right.  
3 Q. Okay. All right. And Debra Davis,  
4 she hired you. Was she your boss at the  
5 Sheriff's Department?  
6 A. Correct, sir. She was my boss.  
7 Q. And how long was she your boss?  
8 A. From 2000 till -- from 2000 to the  
9 time I left. I'm sorry. From the time she  
10 left.  
11 Q. Okay. All right. And so when you  
12 were hired at the Sheriff's Department, what  
13 position did you originally have?  
14 A. I was the canteen officer at that  
15 time.  
16 Q. Were you a sworn deputy?  
17 A. Yes, sir. I took an oath.  
18 Q. Did you --  
19 A. As a civilian.  
20 Q. As a civilian. You were a  
21 civilian. So you were a civilian. You were not  
22 a sworn deputy?  
23 A. Correct. Well, I was a civilian.  
24 Q. Okay. Were you ever a sworn  
25 deputy?

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1 A. I went down to the courthouse to  
2 swear -- to be sworn in.  
3 Q. I understand you took an oath for  
4 the job, but were you ever -- were you ever a  
5 sheriff's deputy? A deputy at the Sheriff's  
6 Department?  
7 A. No, sir.  
8 Q. You never were for the entire --  
9 A. No, sir.  
10 Q. -- employment history there. Okay.  
11 So you began as a canteen officer,  
12 you said?  
13 A. Yes, sir.  
14 Q. And so did you keep track of the  
15 inmate canteen? That would be your job?  
16 A. I kept account of the canteen --  
17 the inmate accounts.  
18 Q. All right. Did you also do the  
19 purchasing for the canteen?  
20 A. No, sir. That was subcontracted  
21 out.  
22 Q. Okay.  
23 A. I would take the sheets up for the  
24 inmates' reports for whatever they wanted during  
25 that week. I would -- I think at that time that

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1 we first started, it was an input of all the  
 2 items that the canteen wanted to order for that  
 3 week, we put it in the computer. Subsequently,  
 4 there was a machine you just put the -- the form  
 5 in the -- into the machine. It would  
 6 automatically, you know, register what the  
 7 inmate wanted Tuesday for that week.  
 8 Q. Okay.  
 9 And how long did you hold that  
 10 position?  
 11 A. For approximately four years.  
 12 Q. And -- and after that four years,  
 13 did your position change at all?  
 14 A. Yes, sir.  
 15 Q. To what?  
 16 A. Finance officer.  
 17 Q. Okay. Was that a promotion?  
 18 A. Yes, sir.  
 19 Q. Okay. All right. Do you know what  
 20 your starting salary was in charge of the  
 21 canteen -- inmate canteen, what your starting  
 22 salary was?  
 23 A. I can't recall right at this time  
 24 what the exact figure was, sir.  
 25 Q. Okay. Do you have a ball park?

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1 A. Ball-park figure probably was about  
 2 26,700, I imagine, something like.  
 3 Q. And when you were promoted to  
 4 finance officer, then what was your salary?  
 5 A. Subsequently, it went up to  
 6 probably about to 30. Somewhere in that range.  
 7 Q. Okay. And as finance officer, what  
 8 were your responsibilities?  
 9 A. Basically, I assisted with the  
 10 budget. I also did purchase orders. I did  
 11 requisitions, material receipts. Other tasks  
 12 included keeping in contact with fixed assets.  
 13 Q. What does that mean?  
 14 A. Well, all the equipment that was in  
 15 the office, I would keep a list of all the  
 16 equipment that came into the office.  
 17 Q. The inventory?  
 18 A. Inventory, yes, sir.  
 19 Q. Uh-huh.  
 20 A. Then also I kept the travel cards  
 21 in a locked box. I would be responsible for the  
 22 travel cards.  
 23 Q. Okay.  
 24 A. I paid the bills, accounts payable  
 25 type situation for the Sheriff's Department.

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1 Also, I did work-force related work for the  
 2 finance -- finance -- for the Sheriff's  
 3 Department, I'm sorry.  
 4 As far as the inmates that were on  
 5 -- on work -- on work release, I would take care  
 6 of their checks. And if they had debts to be  
 7 paid or -- I would send those out to the courts.  
 8 If they owed the courts funds, I would send that  
 9 out. The balance of the money would go back  
 10 into their accounts.  
 11 Q. Uh-huh.  
 12 A. So that was another task that I  
 13 had.  
 14 Q. Okay. Anything else?  
 15 A. I'm sure there are some more tasks  
 16 that I did. Any special projects that came up.  
 17 For instance, there was one instance where the  
 18 antenna on the roof was -- when the wind blew,  
 19 it rained. It rained, it would kind of make it  
 20 -- the computers wouldn't work correctly, so  
 21 that there was one project that we got  
 22 underground cable, so I assisted in that  
 23 project.  
 24 Q. Uh-huh. And how long were you a  
 25 finance officer?

Page 25

1 A. Till about five years. Four or  
 2 five years.  
 3 Q. And then did your job change again  
 4 after that?  
 5 A. Did the job change after that?  
 6 Q. Yes.  
 7 A. After that, I was not reappointed.  
 8 Q. Oh, okay. So that was the last job  
 9 you held?  
 10 A. Yes.  
 11 Q. Okay. All right. Okay. All  
 12 right. And while you worked for the Sheriff's  
 13 Department, were you ever counseled or  
 14 disciplined for poor job performance?  
 15 A. No, sir. I was never counseled for  
 16 poor job.  
 17 Q. Were you ever disciplined?  
 18 A. No, sir.  
 19 Q. Okay. Did you -- were you ever --  
 20 did you ever -- were you ever suspended while  
 21 you were at the Sheriff's Department?  
 22 A. Was I ever suspended? I can  
 23 recall, no, sir. I was never suspended.  
 24 Q. All righty. Now, I think you said  
 25 that you were surprised when you were not

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1 reappointed. Why do you believe you were not  
2 reappointed by the sheriff -- by Sheriff Roberts  
3 after the election in 2009?

4 A. Because I had -- I have always done  
5 an outstanding job with all the jobs that I came  
6 in contact with, so I had no reason to believe  
7 that I would not be appointed again because I  
8 had done all my EPRs suggested. I had above  
9 average performances. And I was never  
10 disciplined as you-- as I can recall. And so I  
11 -- I -- it was my understanding that I was doing  
12 a wonderful job there.

13 Q. So why do you believe you were not  
14 -- why were you not reappointed?

15 A. Why was I not reappointed? I often  
16 wonder why I was not reappointed. It was  
17 probably because in opposition that he maybe  
18 thought I was, you know, going to oppose him in  
19 some way is the only reason I can imagine that I  
20 was not reappointed.

21 Q. All right. So let me explore that.  
22 What do you mean by that? You said you were  
23 going to oppose him in some way. What do you  
24 mean by that?

25 A. Well, maybe he thought I was going

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1 to go with the opposition. Not vote for him or  
2 vote for the opposition.

3 Q. And why would you say that? What  
4 makes you say that?

5 A. Well, probably because my  
6 supervisor, Ms. Davis, was probably working for  
7 the opposition, and in some way, I don't know  
8 what way, maybe I got connected there and --

9 Q. Okay. Well, were -- were you  
10 working for McAdams' (sic) campaign to run for  
11 sheriff in 2009?

12 A. I'm sorry?

13 Q. Were you working for McAdams'  
14 campaign in 2009 with --

15 A. Jim Adams?

16 Q. Jim Adams. Was Adams -- strike  
17 that.

18 Was Adams running against the  
19 sheriff in 2009?

20 A. Yes, he was.

21 Q. Okay. Were a supporter of Adams?

22 A. I wasn't support of anyone at that  
23 time, sir.

24 Q. Okay. Well, I'm trying to find  
25 out. You say you thought that the sheriff may

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1 have thought that you were supporting his  
2 opposition. Why would he think that?

3 A. He had probably connected me by  
4 working -- by my being with Ms. Davis and Ms.  
5 Davis working for Sheriff Adams, that's the only  
6 reason I -- I can surmise that he would do that.

7 Q. Okay. So you think it's just  
8 because you worked for Ms. Davis? Okay.

9 A. (Witness nodded) Because I had no  
10 other -- no other connection.

11 Q. All right. Did you -- did you  
12 actively support Adams' candidacy for sheriff?

13 A. No, sir.

14 Q. Did you contribute any money to his  
15 campaign?

16 A. No, sir.

17 Q. Did you go to any campaign  
18 functions for him?

19 A. No, sir.

20 Q. Did you post any postings on the  
21 internet supporting him?

22 A. No, sir.

23 Q. Did you say anything derogatory  
24 about Sheriff Roberts during the -- before the  
25 campaign or during the campaign?

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1 A. No, sir.

2 Q. When did Ms. Davis leave the  
3 Sheriff's Department?

4 A. Gosh, I'm not sure when Ms Davis  
5 left. I really can't say. I mean, I know she  
6 left, but I don't know the exact time when she  
7 left.

8 Q. Well, how far, in fact, was it --  
9 did Ms -- Ms -- Ms. Davis become the campaign  
10 manager for Adams?

11 A. Yes, sir. I believe she became the  
12 campaign manager for Adams.

13 Q. So she was Sheriff Roberts'  
14 opposition's campaign manager?

15 A. I'm sorry?

16 Q. She became his campaign manager,  
17 Adams' campaign manager?

18 A. She became his campaign manager or,  
19 yes, sir, treasurer or something.

20 Q. Treasurer. Okay. And were you --  
21 did you provide any information about the  
22 operation of the Sheriff's Department under  
23 Sheriff Roberts to Ms. Davis after she became  
24 the treasurer for Mr. -- Mr. Adams?

25 A. No, sir.



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1 Q. Did you give her any information  
2 about salaries or sheriffs' salaries about --  
3 from the Sheriff's Department?  
4 A. No, sir.  
5 Q. Did you keep in contact with her  
6 after she left the Sheriff's Department?  
7 A. I would call her from time to time  
8 because we were good friends. So she would call  
9 to see how I was doing. Yeah, just a friendly  
10 conversation but nothing businesslike.  
11 Q. All right. So you were -- you were  
12 close friends?  
13 A. Oh, I'm still close friends with  
14 Ms. Davis.  
15 Q. Okay. All right.  
16 Well, now, you understand when you  
17 began working for Sheriff Roberts that you  
18 served at his pleasure? Did you understand  
19 that?  
20 A. Yes, sir. I did understand that.  
21 Q. And so he could terminate you for  
22 any reason except when that was illegal?  
23 MR. SHOEMAKER: Object to the form  
24 of the question. Go ahead and answer it  
25 to the best of your ability.

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1  
2 BY MR. ROSEN:  
3 Q. Do you understand that?  
4 A. I understand that Sheriff Roberts  
5 has the authority to hire and fire individuals,  
6 but with my situation, but with cause. I had no  
7 reason to be dismissed as I could -- as I see  
8 it. I mean, he had the authority, but just  
9 because you have the authority doesn't -- you  
10 know, in my estimation, I have to have a cause.  
11 It was a wrongful dismissal in my estimation  
12 that I was let go.  
13 Q. So you believe Sheriff Roberts has  
14 to have cause before he could dismiss you from  
15 the Sheriff's Department. That's your -- that's  
16 your belief?  
17 A. I -- I believe that he would have to  
18 have good cause to let me go, yes, sir. And  
19 there was no cause to let me go.  
20 Q. And why did you say that? Were you  
21 bound by a grievance procedure at the Sheriff's  
22 Department?  
23 A. No, sir. I was not bound by any  
24 grievance.  
25 Q. Were you bound by the City of

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1 Hampton's grievance procedure?  
2 A. No. I wasn't bound by the City of  
3 Hampton.  
4 Q. Did your wife tell you that he --  
5 that Sheriff Roberts had to have good cause to  
6 fire you?  
7 A. No, sir.  
8 Q. I'm just trying to find out what  
9 would make you think that he had to have good  
10 cause to fire you?  
11 A. I didn't say he had to have a  
12 cause. I say he did not have cause to fire me.  
13 I mean, he had the authority. But the fact that  
14 I was fired, you know, I don't know the reason  
15 behind that. I did not have an opportunity to  
16 talk with Sheriff Roberts before I left to give  
17 him information as to sit down man-to-man and  
18 talk --  
19 Q. Uh-huh.  
20 A. -- okay, sir, if I did something  
21 wrong, good, I would gladly go. But if I'm, you  
22 know, but if I didn't do anything, you know, why  
23 would I be let go. Only because you had that  
24 authority to let me go and you, you know, you  
25 used that authority.

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1 Q. I understand.  
2 A. You know.  
3 Q. I understand. My question is  
4 though, do you understand what "at will"  
5 employment means?  
6 A. At will?  
7 Q. Yes.  
8 A. He has -- to me, it means that he  
9 has an authority, yes.  
10 Q. He has authority -- he can hire you  
11 or fire you for any reason except for one that's  
12 against the law.  
13 MR. SHOEMAKER: Object to the form  
14 of the question.  
15 MR. ROSEN: Do you understand that?  
16 MR. SHOEMAKER: Object to the form  
17 of the question.  
18  
19 BY MR. ROSEN:  
20 Q. Do you understand that?  
21 A. I understand that I was let go  
22 without a cause.  
23 Q. Okay. I understand. But do you  
24 understand that's his right to do that?  
25 A. I understand that's his right to do

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1 it, correct.  
2 Q. Okay. So I'm trying to find out if  
3 that's his right to do it, what is your  
4 complaint? I don't understand why you're upset.  
5 A. My complaint is my First Amendment  
6 rights were violated. It was a wrong --  
7 wrongful dismissal.  
8 Q. Okay. All right. Okay. At --  
9 what First Amendment rights were violated?  
10 A. My rights to due process. I did  
11 not have a chance to explain to him when I got  
12 let go that, sir. Whatever my reasons were, I  
13 did not have a chance to -- just freedom of  
14 speech.  
15 Q. Okay. That's what I want to ask.  
16 What speech did you make that caused you to be  
17 fired?  
18 A. What freedom?  
19 Q. What speech? What --  
20 A. Oh, what speech?  
21 Q. -- what did you do? What do --  
22 what did you do?  
23 A. I didn't do anything, sir.  
24 Q. Okay. All right. Because you  
25 allege that Sheriff Roberts violated your First

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1 Amendment rights to free speech by firing you.  
2 You understand that?  
3 A. I understand. What I said is that  
4 Sheriff Roberts fired me without cause or  
5 reasonable cause. And he -- and I do understand  
6 that he has that authority to hire and fire at  
7 will, but I also understand that a person in his  
8 authority have to look at, okay, if I did  
9 something wrong, yes, you can get fired. But if  
10 I didn't do anything, why am I going to get  
11 fired?  
12 Q. You don't have to -- you don't have  
13 to do anything wrong for him to be able to fire  
14 you at "at will" employment if you serve at the  
15 pleasure of a constitutional officer. Do you  
16 understand that or you don't think that's fair?  
17 MR. SHOEMAKER: Objection to the  
18 form of the question. Go ahead and answer  
19 it to the best of your ability.  
20 A. I understand his ability, sir.  
21  
22 BY MR. ROSEN:  
23 Q. Okay. So my question is now you  
24 allege in the lawsuit that your First Amendment  
25 rights were violated, your freedom of speech.

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1 What speech did you make, what did you do that  
2 caused Sheriff Roberts to fire you?  
3 MR. SHOEMAKER: Object to the form  
4 of the question. The question  
5 mischaracterizes the allegations in the  
6 lawsuit. Go ahead and answer to the best  
7 of your ability.  
8 A. Okay.  
9  
10 BY MR. ROSEN:  
11 Q. Tell me.  
12 A. I was not given an opportunity to  
13 come before him.  
14 Q. Okay. All right. Did you make any  
15 speech opposing his candidacy for sheriff to  
16 anyone?  
17 A. No, sir. I did not make any  
18 speech. Excuse me. When you say, "any speech".  
19 Q. Any.  
20 A. Can you explain that to me, sir?  
21 Q. Sure. Did you say anything  
22 expressing your rights -- expressing your views,  
23 your political views, either for or against him  
24 or Mr. Adams during the election that you  
25 believe that Sheriff Roberts used to fire you?

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1 A. Of course, there were -- there was  
2 always would be talk, you know, between  
3 co-workers, okay. And -- but it was never --  
4 but it was never said, you know, who I would,  
5 you know, who I would vote for during that time  
6 frame.  
7 Q. So you didn't tell anyone?  
8 A. So I would just tell -- well, I  
9 would -- I would talk to my co-worker, maybe one  
10 that I trusted, and say, okay, you know, I don't  
11 know whether this is going to be a good time to  
12 make a change or whatever the case might be,  
13 but, you know, I would talk to my co-worker and  
14 say that but not, you know.  
15 Q. What does that mean? I don't  
16 understand what that means.  
17 A. You don't understand what what  
18 means?  
19 Q. I don't know what you just said,  
20 no. Okay. Let me ask you this. Who other  
21 co-workers did you talk to about your political  
22 views as to whether Sheriff Roberts should  
23 remain sheriff?  
24 A. My would talk to my closest  
25 co-worker who would be Debbie -- Debbie Woodard

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1 -- Woodward.  
 2 Q. All right.  
 3 A. Yeah. She was next door to me,  
 4 yes. We would always talk.  
 5 Q. All right. And so you would talk  
 6 to her about whether Sheriff Roberts should stay  
 7 sheriff or not?  
 8 A. We would always talk of, you know,  
 9 if he was doing a good job, he would stay. If  
 10 he's not doing a good job, maybe he should go,  
 11 or something like that.  
 12 Q. Well, you don't believe that she  
 13 reported that back to Sheriff Roberts, do you?  
 14 A. I have no knowledge of that, sir.  
 15 Q. Okay. Did you talk to anyone else  
 16 besides Debbie Woodward -- Woodard about that?  
 17 A. No. She would be the only --  
 18 probably the only one I would talk with.  
 19 Q. Okay. Did you ever talk with any  
 20 of the sheriffs in administration about your  
 21 political views?  
 22 A. No. I would never talk to anyone  
 23 else about my political views.  
 24 Q. Because why? Because it --  
 25 A. It would get out.

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1 Q. It would get out, and you would be  
 2 fired?  
 3 A. Correct.  
 4 Q. So you were secretive about your  
 5 views; is that right?  
 6 A. I wouldn't talk to anyone else in  
 7 -- in the office about my political-- you know,  
 8 who I vote for or not.  
 9 Q. Well, did you believe Sheriff  
 10 Roberts wasn't doing a good job as sheriff in  
 11 2009?  
 12 A. I believe Sheriff Roberts was doing  
 13 an outstanding job. He's always done a good job  
 14 in my view.  
 15 Q. So what was your -- what was the  
 16 reason for your comments to Ms. Woodard --  
 17 Woodard that this may not be a good time?  
 18 A. Well, you know, sometimes you can  
 19 -- you can have as -- as time goes on, you can  
 20 have different views about a person. They might  
 21 not be doing something that you would think they  
 22 should be doing or not listening to someone, and  
 23 that might sway you one way or the other.  
 24 Q. That's what I'm trying find to out.  
 25 Did you believe that about Sheriff Roberts in

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1 2009?  
 2 A. I believe that as time goes on,  
 3 attitudes change.  
 4 Q. Okay. Tell me what you mean by  
 5 that. I'm trying to find out what you were  
 6 saying.  
 7 A. Attitudes change. What I'm trying  
 8 to say is you can have, you know, not your way  
 9 is the best way all the time, but somebody else  
 10 has an opinion also, and you should take that  
 11 into consideration is what I mean.  
 12 Q. So did you believe Sheriff Roberts  
 13 was not doing that in 2009?  
 14 A. In 2009, I believe that we did not  
 15 have enough communication back and forth between  
 16 the whole office is what I believe.  
 17 Q. Okay.  
 18 A. And sometimes you have to, you  
 19 know, get stuff out in the open like, each shift  
 20 or initially, I think early on, he would get the  
 21 group together and, you know, go over ideas.  
 22 But toward the end, I -- I don't think there  
 23 were that many discussions going on.  
 24 Q. Okay. Were you supporting  
 25 Mr. Adams in his candidacy for sheriff?

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1 A. No, sir.  
 2 Q. Okay. Did you ever discuss  
 3 election with Sheriff Roberts or hear him say  
 4 anything about the election before -- in 2009  
 5 leading up to it?  
 6 A. There was no discussion, sir.  
 7 Q. And did you ever attend any  
 8 meetings with -- where the sheriff was present  
 9 and said anything about supporting his candidacy  
 10 for sheriff?  
 11 A. Yes. I attended some meetings  
 12 because the sheriff would get the group together  
 13 and indicate that, you know, the election is  
 14 coming and, you know, I'm the best person for  
 15 this position. And so yes, in that regards,  
 16 yes.  
 17 Q. Did you say anything else about  
 18 that other than he was the best person for the  
 19 position?  
 20 A. Oh, yes. He -- he indicated that  
 21 probably I'm the best person and something to  
 22 the effect that I can be sheriff as long as I  
 23 want to be sheriff.  
 24 Q. Okay. Did he require the employees  
 25 to -- to support his candidacy?

<p style="text-align: right;">Page 42</p> <p>1 A. Excuse me?</p> <p>2 Q. Did they require -- did he require</p> <p>3 the employees to help him get elected --</p> <p>4 reelected?</p> <p>5 A. I'm -- I'm sure when he got</p> <p>6 everybody together, that was his focus was to</p> <p>7 get everybody to jump on his band wagon because</p> <p>8 he wanted to be, you know, reappointed. He</p> <p>9 wanted to be reelected to sheriff. So he was</p> <p>10 just making sure everybody was on the same page</p> <p>11 that, okay, I'm the best person, I'm the best</p> <p>12 candidate.</p> <p>13 Q. Well, other than saying that, did</p> <p>14 he ask you to vote for him?</p> <p>15 A. Well, he said he was the best</p> <p>16 candidate then. You know, you have to just read</p> <p>17 between the lines that, I'm the best candidate</p> <p>18 here, so.</p> <p>19 Q. Well, did he require that you</p> <p>20 contribute money to his campaign?</p> <p>21 A. I'm sure I contributed money to his</p> <p>22 campaign in the form of ticket sales, yes.</p> <p>23 Q. You say you are sure you did?</p> <p>24 A. I did contribute to his campaign.</p> <p>25 Q. How much did you contribute?</p>	<p style="text-align: right;">Page 44</p> <p>1 A. I bought them in checks.</p> <p>2 Q. Did you have a canceled check</p> <p>3 showing that -- proving that you purchased them?</p> <p>4 A. I'm sure if I don't have it, the</p> <p>5 bank has it. I don't remember. I don't think I</p> <p>6 have it. I'm sure there's a copy of it.</p> <p>7 Q. Okay. If you find it, would you</p> <p>8 please provide it?</p> <p>9 MR. SHOEMAKER: Okay.</p> <p>10 MR. ROSEN: Okay.</p> <p>11 I did want to put on the record</p> <p>12 before we began that we agreed that since</p> <p>13 you have not responded to discovery, that</p> <p>14 if anything -- any documents are</p> <p>15 subsequently produced that if I have a</p> <p>16 question about it, we can keep -- we can</p> <p>17 reopen the depositions to get -- question</p> <p>18 witnesses about those responses.</p> <p>19 MR. SHOEMAKER: All right. No</p> <p>20 problem with that. I just wanted to note</p> <p>21 that you haven't responded to discovery</p> <p>22 either.</p> <p>23 MR. ROSEN: I have sent it to you.</p> <p>24 MR. SHOEMAKER: What Thursday? I</p> <p>25 was -- I was in North Carolina on</p>
<p style="text-align: right;">Page 43</p> <p>1 A. Whatever tickets were. Usually, we</p> <p>2 got them in blocks. I think it was five, I</p> <p>3 think there were about ten, about \$50 for each</p> <p>4 campaign.</p> <p>5 Q. You mean raffle tickets?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Okay. Were they required that you</p> <p>8 buy raffle tickets?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Why do you say that? Did they say</p> <p>11 you have -- had to buy him?</p> <p>12 A. The official that gave us the</p> <p>13 tickets indicated that you sell them or either</p> <p>14 you purchase them.</p> <p>15 Q. Who -- who -- who -- who did that</p> <p>16 to you? Who - who told you that?</p> <p>17 A. That was the last couple -- person</p> <p>18 that gave me tickets were at that time was</p> <p>19 Captain Richardson, who would hand them out to</p> <p>20 me.</p> <p>21 Q. And did you buy \$50 worth of</p> <p>22 tickets in 2009?</p> <p>23 A. Yes, I did, sir.</p> <p>24 Q. Did you have -- did you buy them in</p> <p>25 cash or check?</p>	<p style="text-align: right;">Page 45</p> <p>1 Thursday.</p> <p>2 MR. ROSEN: Well, I have it, but</p> <p>3 I'm -- but you will have it in advance of</p> <p>4 your depositions.</p> <p>5 MR. SHOEMAKER: Okay. I've got no</p> <p>6 objection.</p> <p>7 MR. ROSEN: Okay. All righty.</p> <p>8 Okay. Okay. For that, and if there's any</p> <p>9 other responses to interrogatories that I</p> <p>10 find out about also, I would like to have</p> <p>11 the opportunity to follow up if I need to.</p> <p>12 MR. SHOEMAKER: No problem.</p> <p>13</p> <p>14 BY MR. ROSEN:</p> <p>15 Q. Okay. All right. And so do I</p> <p>16 understand that you bought \$50 worth of tickets</p> <p>17 every year -- every -- every election?</p> <p>18 A. Yes. I believe I purchased tickets</p> <p>19 every year that -- that -- they were given to</p> <p>20 me.</p> <p>21 Q. Okay. All right. Could you have</p> <p>22 said you don't want -- you couldn't do it this</p> <p>23 year? Could you have done that or not?</p> <p>24 A. No. I never said I couldn't do it.</p> <p>25 Q. Okay. All right. Did anyone tell</p>

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1 you that you had to buy the tickets as a  
2 condition of your continued employment with the  
3 Sheriff's Department?  
4 A. No, sir.  
5 Q. Okay. Okay. Now, did you read the  
6 lawsuit that you filed in this suit? Did you  
7 read the lawsuit?  
8 A. Yes, sir.  
9 Q. Okay. As you promoted the  
10 allegations in the lawsuit?  
11 A. Yes, sir.  
12 Q. I'm going to ask you about that.  
13 All right. It says in paragraph  
14 15, Over his lengthy tenure sheriff, Roberts has  
15 repeatedly used the power and resources of the  
16 office for reelection efforts. And then it says  
17 in Subparagraph A, he has used sheriff --  
18 sheriff's office employees, including low-level  
19 non-supervisory employees to plan, manage, staff  
20 and carry out political activities and events  
21 while on paid status?  
22 Do you know anything about that?  
23 A. Yes, sir. That happened.  
24 Q. Okay. Well, tell me -- tell me  
25 what you know about that.

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1 A. Well, probably during every  
2 election, he would get the staff together, and,  
3 you know, get volunteers to help support his  
4 campaign.  
5 Q. Okay.  
6 A. And I know during the -- during the  
7 -- his golf tournament time -- fund raising  
8 time, he would -- there would be tents set up  
9 out there, and he would have inmates stay and  
10 set the tents up.  
11 Q. Uh-huh. You say they were  
12 volunteers. Were the employees volunteers who  
13 worked on his campaign?  
14 A. The employees could volunteer to  
15 work on his campaign.  
16 Q. Okay. Did you ever volunteer to  
17 work on his campaign?  
18 A. Oh, yes, sir. I worked on his  
19 campaign. I would go out and hand out flyers,  
20 you know, to different people in the  
21 neighborhood.  
22 Q. Did you do that voluntarily?  
23 A. Oh, yeah, did that voluntarily.  
24 Q. So knowing you were never told it  
25 was mandatory or you wouldn't be -- your

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1 employment would not continue if you didn't do  
2 it, were you?  
3 A. Oh no. I willingly did that.  
4 Q. Okay. All right.  
5 A. I had no problem with that.  
6 Q. Did you work on his campaign in  
7 2009?  
8 A. No, sir. I did not work on his  
9 campaign in 2009.  
10 Q. Why not?  
11 A. I just didn't work on his campaign.  
12 Q. All right.  
13 A. I didn't go out to hand out flyers,  
14 I think -- I think the night of the election, I  
15 did go out and help set up his equipment. I was  
16 called by Captain Wells-Major to set up the  
17 computer, the laptop to help show results that  
18 -- that were coming in. So that -- that, I  
19 think, was the only thing that I did for that  
20 campaign.  
21 Q. Was that -- was that as a  
22 volunteer? Was that as part of your job at the  
23 Sheriff's Department?  
24 A. No. That was not part of my job.  
25 Q. Okay, okay.

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1 A. I just volunteered to do that.  
2 Q. All right. Okay. But as far as  
3 you know, all the Sheriff's Department employees  
4 that worked on the campaign did so voluntarily?  
5 A. I don't know what all the other  
6 volunteers -- I know I did it voluntarily. I  
7 don't know about all the other people, but I  
8 didn't do -- like I said, for the last campaign,  
9 I didn't go around dropping off flyers or, you  
10 know, putting placards in people's yards, I  
11 didn't do that.  
12 Q. And why -- had you done it in all  
13 the previous campaigns?  
14 A. I had done it previous times. I  
15 was committed on some of the other days doing  
16 other things. That was another reason I didn't  
17 do it.  
18 Q. Okay. You say, and it's alleged,  
19 that he has used office material, equipment,  
20 property, meeting space for his own political  
21 purposes. Do you know anything about that?  
22 A. Well, I'm sure if there was office  
23 equipment around that he wanted to use, it was  
24 utilized. So at that time, yes.  
25 Q. Well, do you -- do you have any

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1 specific knowledge of what equipment was  
2 utilized for political purposes?  
3 A. Well, I'm sure papers, business  
4 papers -- well, not business papers, but  
5 computers, printed-out information. So I'm sure  
6 that was used.  
7 Q. What was -- was office equipment  
8 used to produce political material?  
9 A. I don't know what the office  
10 material was used, you know, I wasn't -- I'm  
11 just saying, any office material that was  
12 available would have been used for his  
13 reelection campaign.  
14 Q. Do you have any knowledge that it  
15 was?  
16 A. Well, there was always flyers going  
17 around saying when a meeting was going to be  
18 held. So yes, I do have knowledge of that. We  
19 would meet in the rooms and discuss, you know,  
20 future events, so yes.  
21 Q. You mean political meetings?  
22 A. It would be a meeting, you know, to  
23 get a campaign --  
24 Q. Campaign meeting?  
25 A. -- yes, sir.

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1 Q. So you would get a notice about  
2 that?  
3 A. Yes, sir.  
4 Q. Okay. But it wasn't mandatory that  
5 all the employees attend?  
6 A. No. It wasn't mandatory that all  
7 attend.  
8 Q. So it was just whoever wanted --  
9 A. Whoever wanted to volunteer to  
10 come.  
11 Q. Let me ask you, did all of the  
12 members of the Sheriff's Department, all the  
13 deputies and civilians participate in Sheriff  
14 Roberts' campaign?  
15 A. I'm not aware of that, whether or  
16 not all of them participated or not, no, sir.  
17 Q. Do you know people who did not  
18 participate in his campaign?  
19 A. I don't know by name, no, sir.  
20 Q. Excuse me.  
21 A. I don't know by name whether they,  
22 you know, did not participate. I don't know who  
23 did not participate.  
24 Q. Do you know what percentage did?  
25 A. It's probably a small percentage.

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1 Probably about ten to 15 percent that  
2 participated.  
3 Q. So ten to 15 percent --  
4 A. That would be an approximate guess,  
5 yes, sir.  
6 Q. -- of the Sheriff's Department  
7 employees participated in the -- the political  
8 campaign.  
9 A. That would help out with his  
10 campaign.  
11 Q. Okay.  
12 A. It might have been more than that.  
13 So I was -- I'm guessing at this time. Say  
14 approximately ten to 15 percent.  
15 Q. Okay.  
16 A. It could have been more.  
17 Q. All right. And it's alleged in  
18 paragraph 15D that the sheriff had coerced  
19 employees to sell tickets and to buy tickets to  
20 campaign fund raising events.  
21 Were you ever coerced to sell  
22 tickets or buy tickets?  
23 A. I was not coerced. I was asked to  
24 either buy them or -- or you know --  
25 Q. Sell them?

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1 A. -- or sell them, correct.  
2 Q. Okay. Were you being -- would you  
3 say you thought you were coerced?  
4 A. I kind of thought, you know, I  
5 needed to do this, so I went ahead and did it.  
6 Q. Okay. Do you know if everyone at  
7 the Sheriff's Department did that?  
8 A. I have no knowledge of that, no,  
9 sir.  
10 Q. Do you know if some people did not  
11 do it?  
12 A. I'm not aware of it, sir.  
13 Q. Okay. It's alleged in paragraph 18  
14 that after Adams resigned and announced his  
15 opposition to Roberts, Roberts was informed by  
16 senior officers and his own investigation that  
17 the plaintiffs had declined to support his  
18 reelection efforts and were actively supporting  
19 Adams. That's not true with you, is it?  
20 A. No, sir. Not true with me.  
21 Q. Okay. You had not --  
22 A. I had no knowledge of, you know, of  
23 other people supporting Adams or not. It wasn't  
24 in my best interest, so I didn't -- I had no  
25 knowledge of that.

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1 Q. And you had declined. You had not  
2 declined to support Sheriff Roberts' reelection  
3 efforts?  
4 A. In my -- nobody knew who I was  
5 going to vote for, sir.  
6 Q. Okay. That was -- that was my --  
7 MR. SHOEMAKER: Listen. I want you  
8 to listen to these questions.  
9  
10 BY MR. ROSEN:  
11 Q. Okay. And you were not actively  
12 supporting Adams, were you?  
13 A. No, sir. Not at the time I was  
14 not.  
15 Q. Okay. All righty. Who asked you  
16 to join this lawsuit?  
17 A. Who asked me to join the lawsuit?  
18 Q. Yes.  
19 A. It was all the ones that got not  
20 reappointed. We all got together and was  
21 talking, and we just decided to get together and  
22 do this.  
23 Q. Whose idea was it?  
24 A. It was -- I don't know whether it  
25 was any one particular person's idea or whether

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1 or not it was just a group effort, you know, we  
2 got together. We would just have lunch and say,  
3 okay, this is wrong, and we need to do  
4 something. So we just all decided just to go  
5 ahead and do it.  
6 Q. Did you talk to Mr. Adams about  
7 filing this lawsuit?  
8 A. No, sir.  
9 Q. Okay. Would this -- this lawsuit  
10 could be used as a political tool for Adams --  
11 for Adams in his subsequent reelection campaign,  
12 can't it?  
13 A. Say that again now.  
14 Q. Yeah. This lawsuit can be used as  
15 a tool or used by Adams in his future campaign  
16 against Sheriff Roberts, couldn't it?  
17 MR. SHOEMAKER: Object to the form  
18 of the question. Go ahead and answer it  
19 to the best of your ability.  
20 A. I don't know if it can be used  
21 against him or not.  
22  
23 BY MR. ROSEN:  
24 Q. You don't know if it can be used  
25 against him or not?

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1 A. I mean --  
2 Q. You can't look at him. He's not  
3 going to help you. You get to answer the  
4 question.  
5 A. Can you repeat the question?  
6 Q. Yes. Do you know or are -- are you  
7 aware that this lawsuit can be used by Mr. Adams  
8 in his future election efforts against -- to  
9 unseat Sheriff Roberts?  
10 A. I'm sure probably if it gets out in  
11 the media or something, it can be used against  
12 him, yes.  
13 Q. Well, it's out. It's in the  
14 public. You filed it in public. You're aware  
15 of that, aren't you?  
16 A. Yes, sir.  
17 Q. Okay. Have you talked to Mr. Adams  
18 about your role if he wins as the -- as the next  
19 election that you want to work for him?  
20 A. No, sir. I have not.  
21 Q. Have the other deputies told him  
22 that?  
23 A. I have no idea.  
24 Q. Okay. Are you supporting  
25 Mr. Adams' future election campaign?

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1 A. I don't know at this time, sir.  
2 Q. Okay. Have you been to any  
3 meetings talking about his future election?  
4 A. No, sir. I have not.  
5 Q. Did you tell me the name of who  
6 asked you to join this lawsuit or you said you  
7 got together with all of them?  
8 A. We just got together with the group  
9 that -- that is on your list there, sir.  
10 Q. Where did -- where did you meet?  
11 Where and when?  
12 A. It was maybe -- I don't know. We  
13 met at this pizza place off of Mercury. I think  
14 Riverdale Shopping Center was a place down there  
15 where we met to have lunch.  
16 Q. Who called you to attend the  
17 meeting?  
18 A. Debra would call me. Debbie --  
19 Debra -- Debbie Woodard.  
20 Q. She called you. And what did she  
21 say?  
22 A. Well, let's have lunch. And then,  
23 you know, we'd e-mail and say, okay. Let's, you  
24 know, let's have lunch and we'd talk.  
25 Q. Did you know the other -- this is

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1 the one --  
2 A. The ones that's on the list, that's  
3 John Dixon. All the ones that are on the list,  
4 we would get together.  
5 Q. Okay. Would you get together  
6 regularly?  
7 A. No, no.  
8 Q. Okay. Okay. So someone called  
9 you. Debra Woodard called you and asked to meet  
10 at the pizza place. When was this?  
11 A. Yes.  
12 Q. When was this?  
13 A. I don't recall the exact date that  
14 was.  
15 Q. How soon before the lawsuit was  
16 filed?  
17 A. I can't recall. I can't recall the  
18 date.  
19 Q. Was it months or --  
20 A. I'm sure it was months after that.  
21 Q. One month, two months, three  
22 months.  
23 A. I don't recall the date.  
24 Q. Okay. So she called and said,  
25 let's get together for pizza. Did she tell you

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1 that everyone else to be there, too?  
2 A. Oh, yeah. We all knew who was  
3 going to be there.  
4 Q. How did you know who else was going  
5 to be there?  
6 A. Well, she said John's going to be  
7 there, Dixon's going to be there, and the other  
8 guys on the -- that's on your list there.  
9 Q. Was Adams there, too?  
10 A. At one time, Adams was there, yes.  
11 Q. He came to the meeting also?  
12 A. Yes, at one time.  
13 Q. So he was at the original meeting  
14 when you talked about filing the lawsuit, Adams  
15 was there?  
16 MR. SHOEMAKER: Object to the form  
17 of the question. Go ahead and answer it  
18 to be best of your ability.  
19 A. I'm saying he was at one of the  
20 meetings, at one of the lunch meetings.  
21  
22 BY MR. ROSEN:  
23 Q. Okay. All right. And how many  
24 meetings did you have?  
25 A. Oh, we had lunch maybe a couple of

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1 times.  
2 Q. To discuss this -- this case?  
3 A. We just had lunch just, you know,  
4 just to talk, to have lunch, not specifically to  
5 discuss the case.  
6 Q. Well, I'm trying to find out when  
7 you first met with these people to talk about  
8 bringing the lawsuit -- this lawsuit, when was  
9 that? We can be here all day. I'm trying to --  
10 A. I understand.  
11 Q. -- get to the heart of it. So --  
12 so just answer my question and no bull.  
13 A. I'm trying to remember.  
14 MR. SHOEMAKER: He is answering  
15 your question. He doesn't have a  
16 photographic memory.  
17 A. If I can't remember the date, I  
18 can't remember the day.  
19  
20 BY MR. ROSEN:  
21 Q. I'm trying to find out the first  
22 meeting.  
23 A. It was like months. I just don't  
24 remember the date, sir.  
25 Q. Okay. All right. Well -- well, he

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1 said the first -- at the first meeting --  
2 MR. SHOEMAKER: Why don't you take  
3 it from the time you were fired? Was it  
4 within two months from the time y'all were  
5 fired that you got together?  
6 THE WITNESS: It was about two or  
7 three months after the firing.  
8  
9 BY MR. ROSEN:  
10 Q. So how many meetings did you have  
11 to discuss your intent to file this lawsuit?  
12 A. How many meetings? We -- we had  
13 like a couple of meetings after that. It was  
14 only a couple of meetings after the first  
15 meeting that we decided to go forward with it.  
16 Q. Okay. How many meetings in total  
17 did you have to discuss -- had you met with this  
18 group, the other plaintiffs before you -- to --  
19 to discuss filing this lawsuit? How many  
20 meetings did you have?  
21 A. It was probably about two or three  
22 meetings.  
23 Q. Two or three meetings total?  
24 A. Yes, sir.  
25 Q. Okay. Now, is that before you met



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1 with lawyers?  
2 A. Yes, sir.  
3 Q. Okay. All right. So two or three  
4 meetings. All right. Okay. Let's go to the  
5 first meeting. Okay. The first one. It came  
6 about because Debra Woodard called you and said;  
7 we're getting together --  
8 A. For lunch.  
9 Q. -- for lunch. Did she tell you  
10 else was going to be there?  
11 A. I'm sure she might have said the  
12 guys that were on, you know, that was let go was  
13 going to be on the list, yes, sir.  
14 Q. Did you say what the purpose of the  
15 meeting was?  
16 A. I can't recall that at this time  
17 what she said was the purpose. Just let's have  
18 lunch, and then things developed after we got  
19 there.  
20 Q. Okay. So when you got to there to  
21 the pizza place, what was discussed?  
22 A. We were just talking about why we  
23 were let go. We didn't realize why, you know,  
24 the reason that we were not reappointed. It was  
25 just talking in general, generalities of why we

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1 were let go, and I think one thing led to  
2 another.  
3 Q. Who -- who led the meeting?  
4 A. I don't think there were a leader  
5 per se. It was just a group effort.  
6 Q. Okay. Now, did you say Adams came  
7 to one of these meetings?  
8 A. Yes, sir. He was at one of the  
9 meetings and had lunch with us.  
10 Q. Okay. What did he have to say?  
11 A. Nothing. He was just there as we  
12 were all friends.  
13 Q. Okay. And why was he -- and why  
14 was he there to discuss whether you were going  
15 to file a lawsuit against his political  
16 opponent?  
17 A. No. He was just there as a -- he  
18 was there -- we were all there as friends. We  
19 were all there just having pizza and then just  
20 talking.  
21 Q. Okay.  
22 A. It was nothing about any lawsuit or  
23 anything at that point.  
24 Q. All right. All right. Well, did  
25 you discuss the lawsuit the first time -- the

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1 first meeting?  
2 A. I -- that -- I don't think the  
3 lawsuit came up at the first meeting. I think  
4 that was afterwards.  
5 Q. Okay. Tell me about the best  
6 recollection what you discussed at the first  
7 meeting, okay?  
8 A. It was just the reason we -- we  
9 just didn't understand why we got let go. Why  
10 we were not reappointed was the thrust of that  
11 meeting.  
12 Q. Okay. Did anyone discuss what  
13 remedies were available to you?  
14 A. I don't recall that, sir, whether  
15 it was discussed.  
16 Q. Okay. And at that first meeting,  
17 was it you, Daniel Carter, David Dixon, Robert  
18 McCoy, John Sandhofer and Debra Woodard --  
19 Woodward?  
20 A. To the best of my knowledge, yes,  
21 sir, that was the ones that were there. There  
22 was also a couple more that was on the --  
23 Mitchell was there. I think Sammy Mitchell was  
24 there.  
25 Q. Was he -- had he been reappointed

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1 also?  
2 A. Yes, sir. He was one of the ones  
3 that was.  
4 Q. All right. Anyone else?  
5 A. I think that's all I can remember  
6 that was there at this time.  
7 Q. Okay. And so what was the outcome  
8 of the first meeting, if any?  
9 A. I'm sorry?  
10 Q. What was the outcome of the first  
11 meeting? Did you decide to meet again?  
12 A. We say we will stay in contact with  
13 each other.  
14 Q. Did you decide to call a lawyer?  
15 A. Not then, no.  
16 Q. Did anyone -- when did you decide  
17 to call, not being the first meeting you decided  
18 to call a lawyer. Anything else discussed at  
19 the first meeting that you remember?  
20 A. No. It was basically just, you  
21 know, how are you doing, have you found a job  
22 yet or things like that.  
23 Q. Okay. And then how soon was the  
24 second meeting after that?  
25 A. We would probably meet probably

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1 that following month.  
2 Q. Okay. And how did that come about?  
3 A. We just called each other and say  
4 let's get together.  
5 Q. Who's initiated the phone call?  
6 A. I'm not sure who initiated the call  
7 at that time. We just kept -- we just kept in  
8 contact with each other the whole time.  
9 Q. How -- how did do you that? By  
10 e-mail?  
11 A. We would keep in contact by e-mail.  
12 We would also keep in contact by telephone  
13 calls.  
14 Q. Did you have a link on Facebook or  
15 individual e-mail?  
16 A. No. We wouldn't have it on  
17 Facebook. Basically, it would just be telephone  
18 calls and e-mails.  
19 Q. Were you sending group e-mails?  
20 A. I would get probably six or eight  
21 of them. So yes, probably group e-mails.  
22 Q. Okay. All right. Are we going to  
23 receive those group e-mails?  
24 MR. SHOEMAKER: If they got them,  
25 yes. I don't have them right now. If

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1 they got him.  
2 A. We will give them to you.  
3 MR. ROSEN: I think we need to see  
4 those.  
5  
6 BY MR. ROSEN:  
7 Q. All right. So you were e-mailing  
8 and speaking on the phone. Would you have  
9 conference calls or individual calls?  
10 A. No, just individual calls.  
11 Q. Okay. And how often were you  
12 talking to -- to the -- the different  
13 plaintiffs?  
14 A. It wouldn't be that often that we  
15 would talk. If we wanted to get together, we  
16 would to get together, but it wasn't like a, you  
17 know, like every week or every month or  
18 something like that.  
19 Q. Okay. And when did the idea of  
20 filing a lawsuit come up?  
21 A. I'm trying to think. I don't  
22 recall when it came up.  
23 Q. Was that yours?  
24 A. I know Debbie called me and said,  
25 you know -- Debbie Woodward -- but I don't

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1 remember the date, you know.  
2 Q. She called you and said what?  
3 A. Well, you know, let's get together  
4 and see can we, you know, get a lawsuit against  
5 the sheriff on this.  
6 Q. So this was her idea?  
7 A. I'm not sure whether it was her  
8 idea or whether it was, you know, a group, you  
9 know, idea.  
10 Q. Was she the one who was the finance  
11 director for Mr. Adams' campaign?  
12 A. No. That was Debra Davis. This is  
13 Debra Woodard.  
14 Q. Debra Woodard. Okay. All right.  
15 So she's the one that called you and said let's  
16 get together and see if we can get a lawsuit  
17 against the sheriff?  
18 A. We -- we talked, yes.  
19 Q. Okay.  
20 A. I would say she would probably get  
21 with the group and say, okay, let's go for it.  
22 And then we all decided, you know, let's go for  
23 it.  
24 Q. All right. Okay. Now, was this  
25 after the first -- first meeting, second meeting

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1 or third meeting, this telephone conversation?  
2 A. It was probably after the second  
3 and probably third meeting, you know, we decided  
4 to go ahead and do it.  
5 Q. So were you discussing about the  
6 lawsuit at the second meeting, discussing the  
7 possibility of filing a lawsuit against the  
8 sheriff?  
9 A. Yes, sir. After the second  
10 meeting. I'm sure we was probably coming to that  
11 conclusion.  
12 Q. Okay. And whose idea was it? Was  
13 it -- who raised it?  
14 A. It was a group. It was a group.  
15 It was a group effort. It wasn't just like one  
16 individual. We all just was talking about,  
17 yeah, we ought to just do it. So it wasn't one  
18 individual that was coming forward with it.  
19 Q. Did Mr. -- Mr. Adams attend the  
20 second meeting or the third meeting?  
21 A. Only the first meeting as I can  
22 recall. He wasn't there at the second one.  
23 Q. He attended the first meeting only?  
24 A. Yeah. I said he was at the first  
25 meeting.

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1 Q. Okay.  
2 A. But it wasn't discussed about the  
3 lawsuit at that time during the first meeting.  
4 Q. Okay. Mr. Adams had resigned from  
5 the Sheriff's Department, correct?  
6 A. Yeah. I believe he had, sir.  
7 Q. He was not one of the people that  
8 was not reappointed?  
9 A. Correct.  
10 Q. So why did he attend the first  
11 meeting?  
12 A. We were all friends. We had played  
13 on the same softball game --  
14 Q. I understand.  
15 A. -- same softball team. We were all  
16 friends. And we just stayed in contact with  
17 each other.  
18 Q. Okay. Well, wasn't the purpose of  
19 the first meeting to talk about the people that  
20 were not reappointed?  
21 A. The first -- the first -- the  
22 purpose of it, you know, was just to get  
23 together and talk and see how everybody was  
24 doing, whether we had already found another job  
25 and that was -- that was the gist of the first

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1 meeting to see how everybody was doing. Because  
2 we wanted to know -- we were trying to discuss  
3 about unemployment, whether we were able to get  
4 employment.  
5 Q. Uh-huh.  
6 A. And we were discussing that issue  
7 right there.  
8 Q. And did Mr. Adams -- Adams have any  
9 suggestions on that?  
10 A. I can't recall. I don't know  
11 whether he had any idea or --  
12 Q. Did he tell you that he would like  
13 your support for his future campaigns?  
14 A. No, sir. That didn't come up.  
15 Q. Okay. All right. So the -- so the  
16 only people that went to the first meeting were  
17 all the people who were not reappointed plus  
18 Mr. Adams; is that correct?  
19 A. Yes, sir.  
20 Q. And the second meeting you say you  
21 started talking about filing this lawsuit?  
22 A. We were saying that we were let go,  
23 we probably need to, you know, do something.  
24 Q. And how did you find Mr. Shoemaker?  
25 A. I -- I think Debbie knew him.

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1 Q. Debbie Woodard -- Woodward?  
2 A. Woodward.  
3 Q. And how did you all decide to pay  
4 for Mr. Shoemaker?  
5 A. How did we decide to pay for it?  
6 MR. SHOEMAKER: Mr. Shoemaker has  
7 it on a contingent basis purely.  
8  
9 BY MR. ROSEN:  
10 Q. Did you -- did the plaintiffs chip  
11 in to pay for court costs before the lawsuit was  
12 filed?  
13 A. No, sir.  
14 Q. Okay. Did you ever meet with  
15 Mr. Shoemaker with Mr. Adams present?  
16 A. Yes, sir. I think we did meet.  
17 Q. With Mr. Adams present?  
18 A. Yes, sir.  
19 Q. When was that?  
20 A. I can't recall the date.  
21 Q. What was discussed?  
22 A. This was during, you know, the  
23 lawsuit.  
24 Q. Drafting the lawsuit?  
25 A. This was during the process of the

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1 lawsuit.  
2 Q. Okay. Well, why was Adams there?  
3 A. No. He was part of the -- because  
4 he was part of the -- he was part of the, you  
5 know, he knew some of the questions that we  
6 didn't know.  
7 Q. Like what?  
8 A. Well, you know, things that  
9 happened.  
10 Q. So how many times did you meet with  
11 your lawyer and Mr. Adams?  
12 A. I can only remember meeting with  
13 him only once is all I can recall.  
14 Q. And was that at -- at -- at his  
15 office? At Shoemaker's office?  
16 A. Yes, sir.  
17 Q. Okay. Was that before the lawsuit  
18 was filed?  
19 A. That was -- I think that was after  
20 the lawsuit was filed.  
21 Q. In the lawsuit, it's alleged that  
22 Plaintiffs Carter and McCoy were on Jim Adams'  
23 campaign Facebook page actively advocating the  
24 election of Adams. Did you know that?  
25 A. No, sir, not until I read it in the

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1 lawsuit.  
 2 Q. Okay. It says -- alleges in 18B  
 3 Plaintiffs McCoy and Sandhofer attended a  
 4 cookout on August 29th, 2009, given by Carter,  
 5 attended by Adams and that Roberts and certain  
 6 senior officers concluded it was a campaign  
 7 event for Adams. Did you attend that cookout?  
 8 A. No, sir. I didn't.  
 9 Q. Did you know anything about it?  
 10 A. Not until I read in the lawsuit.  
 11 Q. Okay. And in 18C. It says on  
 12 November 3rd, 2009, Election Day. Plaintiff  
 13 Dixon openly announced before a group of voters  
 14 including persons close to Roberts that Roberts  
 15 should not be elected and that Adams should be  
 16 elected the next sheriff of Hampton.  
 17 Were you there for that?  
 18 A. No, sir.  
 19 Q. Did you know anything about that?  
 20 A. Not until I read it.  
 21 Q. Okay. And in 18D, it says, During  
 22 the 2009 campaign season late summer and fall of  
 23 the 2009, each of the plaintiffs affirmatively  
 24 expressed their support for Adams to several  
 25 persons, including several of the colleagues

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1 A. Correct.  
 2 Q. -- is that correct? Okay.  
 3 Now, you don't have any information  
 4 that you were not reappointed by Sheriff Roberts  
 5 to retaliate against you for anything you did or  
 6 didn't do during the campaign, do you?  
 7 A. I don't have any information?  
 8 Q. Yes.  
 9 A. No, sir, I don't have any  
 10 information other than the letter that I -- I  
 11 received.  
 12 Q. Oh, the letter? But as far as  
 13 you're aware, Sheriff Roberts knew nothing about  
 14 whether you were supporting him or Mr. Adams?  
 15 A. As far as --  
 16 Q. Through the campaign, right?  
 17 A. As far as I'm aware, he didn't  
 18 know.  
 19 Q. So obviously, if he didn't know, he  
 20 couldn't retaliate against you for not  
 21 supporting him, could he?  
 22 A. If he didn't know, no, sir, he  
 23 couldn't.  
 24 Q. And there's no way for him to know,  
 25 right?

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1 from the sheriff's office. That's not true for  
 2 you?  
 3 A. I only -- I only talked to my  
 4 co-worker, Ms. Woodward.  
 5 Q. So that allegation is not true for  
 6 you.  
 7 Okay. And it says in 18E that each  
 8 of the plaintiffs refused to provide requested  
 9 assistance and support for Roberts' reelection  
 10 efforts.  
 11 That's not true either for you?  
 12 A. My only connection was that I  
 13 helped set up the, as I told you before, the  
 14 equipment, the electronic equipment.  
 15 Q. And you also made a contribution --  
 16 a 50-dollar contribution to the campaign, right?  
 17 And you said the other the reason you didn't do  
 18 anything more because you had your schedule,  
 19 prior commitments.  
 20 A. Yes, sir.  
 21 Q. Okay. So as far as you know, none  
 22 of the senior officers of the Sheriff's  
 23 Department would have known that whether you  
 24 were supporting Sheriff Roberts or not before  
 25 the election --

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1 A. Right. As far as I know. No, sir.  
 2 Q. Okay. All right.  
 3 All right. Now, do you know other  
 4 people who were not rehired in addition -- in  
 5 addition to the six plaintiffs in this lawsuit,  
 6 other people were not rehired as well?  
 7 A. Others were not. I don't remember  
 8 all their names, sir.  
 9 Q. Okay. And do you know whether they  
 10 were not rehired -- rehired -- do you know the  
 11 reason they were not rehired?  
 12 A. No, sir, I do not.  
 13 Q. You don't know the reasons that any  
 14 of the other plaintiffs in your lawsuit were not  
 15 rehired, do you?  
 16 A. I sure don't. I don't know, sir.  
 17 Q. Okay.  
 18 Okay. Now, I want you ask some  
 19 questions about damages. What day did you leave  
 20 the Sheriff's Department?  
 21 A. My last day at the Sheriff's  
 22 Department was on the 4th of December.  
 23 Q. December 4?  
 24 A. 2009.  
 25 Q. 2000, okay. And since then, have

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1 you been looking for a job?  
2 A. Oh, yes, sir.  
3 Q. Okay. Have you been able to get  
4 one -- find one?  
5 A. No, sir.  
6 Q. Okay. What efforts have you made  
7 to look for employment?  
8 A. I have put applications out every  
9 week. I've had interviews but no call-backs on  
10 the interviews.  
11 Q. Okay. How many interviews have you  
12 had?  
13 A. I have had approximately about ten  
14 interviews.  
15 Q. And what type of jobs have you been  
16 applying for?  
17 A. In the financial realm, accounts  
18 payable, financial technicians, accounting  
19 technicians types of jobs. It's in the  
20 accounting and finance career field.  
21 Q. Okay. And where have you  
22 interviewed? Do you know the employers you've  
23 interviewed with?  
24 A. Yes, sir. I've interviewed with  
25 Thomas Nelson, Christopher Newport University.

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1 ODU, Hampton University and what's the other  
2 one? That's a couple of more I can't recall  
3 right now, sir.  
4 Q. Do you have a copy of your  
5 employment applications?  
6 A. Yes, sir. I do.  
7 Q. Okay. I'll need a copy of that,  
8 too.  
9 A. And I'm sorry. William and Mary.  
10 I applied for William and Mary.  
11 Q. Uh-huh. Okay.  
12 A. Virginia Tech. Most of the  
13 colleges in the -- in the area.  
14 Q. That's where you were employed  
15 before?  
16 A. Yes, sir.  
17 Q. Have you -- do you have any jobs  
18 that you have applied for and not heard back  
19 from yet?  
20 A. Yes, sir.  
21 Q. How many?  
22 A. The last one I just had another  
23 interview last Wednesday.  
24 Q. Uh-huh.  
25 A. That was again at Thomas Nelson, so

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1 I'm waiting to hear on that one.  
2 Q. Do you think you may have a good  
3 chance of getting a job there?  
4 A. Well, hoping.  
5 Q. Okay. And what is that -- what  
6 position is that?  
7 A. Accounting technician -- I'm sorry.  
8 Fiscal technician.  
9 Q. What's that? What is that?  
10 A. It's payables and in that realm.  
11 Q. Okay. And do you know what the  
12 starting salary is for that position?  
13 A. I think it's a range from 26 to 30,  
14 36, I think.  
15 Q. Okay. Is that benefits as well?  
16 A. Yes, sir.  
17 Q. Do you know -- do you know whether  
18 your position has been filled by a sworn deputy?  
19 A. I don't think it's a sworn deputy.  
20 It's a civilian -- well, I'm not sure. I'm not  
21 sure, sir, whether she's sworn. It might be a  
22 sworn position.  
23 MR. ROSEN: Let's take a five-  
24 minute break. I think I'm almost done.  
25 MR. SHOEMAKER: Okay.

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1 MR. ROSEN: Take a break.  
2 (The deposition recessed at 10:25  
3 a.m. At 10:35 a.m., the deposition  
4 continued as follows:)  
5  
6 BY MR. ROSEN:  
7 Q. Have you been promised anything by  
8 Mr. Adams if you -- you agree to be a plaintiff  
9 in this lawsuit?  
10 A. No, sir.  
11 Q. Okay. And you have not -- if I  
12 understand you correctly, you have not paid any  
13 money to file this lawsuit?  
14 A. Correct, I have not paid any.  
15 Q. Okay. And has Mr. Adams promised  
16 you a job if he is elected sheriff in the next  
17 election?  
18 A. No. That conversation never came  
19 up.  
20 MR. ROSEN: Okay. That's all the  
21 questions I have. Thank you, sir. Answer  
22 any counsel's questions if he has any.  
23  
24  
25

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1 EXAMINATION  
2  
3 BY MR. SHOEMAKER:  
4 Q. Mr. Bland, I've got a couple of  
5 questions.  
6 A. Okay.  
7 Q. In the 2009 campaign season, did  
8 any of Sheriff Roberts' subordinates, his senior  
9 subordinates, any captains or majors or  
10 colonels, come to you and ask you whether or not  
11 you were supporting the sheriff?  
12 MR. ROSEN: Well, I object to the  
13 form of the question to the extent that  
14 he's already answered that question. Go  
15 ahead.  
16 A. I'm sure some of his senior  
17 officials, Captain Wells-Major came and wanted  
18 me to help out with the campaign, yes, sir.  
19  
20 BY MR. SHOEMAKER:  
21 Q. And how did you respond to their  
22 requests?  
23 A. I told them I had other commitments  
24 to do that I couldn't support -- support them at  
25 that time.

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1 Q. In previous years in '05 and '01,  
2 did you -- did you put up yard signs for Sheriff  
3 Roberts?  
4 A. Yes, sir. In previous years, I  
5 did.  
6 Q. And in previous years, in '05 and  
7 '01, did you hand out political flyers for  
8 Sheriff Roberts?  
9 A. Yes, sir, I did.  
10 Q. And in previous years, in '05 and  
11 or '01 --  
12 MR. ROSEN: Objection. Leading.  
13 MR. SHOEMAKER: There's nothing  
14 leading about this.  
15  
16 BY MR. SHOEMAKER:  
17 Q. In previous years in '05 or '01,  
18 did you ever work the polls for Sheriff Roberts?  
19 A. Yes. I did work the polls.  
20 Q. Okay. And did you do any of that  
21 in 2009?  
22 A. No, sir. I did not.  
23 Q. Did you tell Debra Davis that you  
24 supported Jim Adams for sheriff in the 2009  
25 campaign season?

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1 MR. ROSEN: Objection. Leading.  
2 A. No, I did not discuss that with Ms  
3 Davis.  
4  
5 BY MR. SHOEMAKER:  
6 Q. You told Debra Woodward that?  
7 MR. ROSEN: Objection. Leading.  
8 A. Yes.  
9  
10 BY MR. SHOEMAKER:  
11 Q. Did you ever know any sheriff's  
12 office personnel to perform political work for  
13 the sheriff while on a paid status?  
14 A. Yes, sir. I remember.  
15 Q. Can you give me some examples of  
16 that?  
17 A. There would be, not always, during  
18 the campaign, there would be a meeting with  
19 people helping out on his campaign and also  
20 during the -- during the -- his golf tournament  
21 and fund raising tickets, there would be people  
22 in the office helping out on his campaign also.  
23 Q. How did you know they were on paid  
24 status?  
25 A. Because they were co-workers of

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1 mine.  
2 MR. SHOEMAKER: All right. That's  
3 all.  
4 THE COURT: Thank you.  
5 MR. ROSEN: Just a follow-up.  
6  
7 EXAMINATION  
8  
9 BY MR. ROSEN:  
10 Q. You said you had other commitments,  
11 but you were not -- what were those other  
12 commitments? Why didn't you do what you had  
13 done in previous elections?  
14 A. I had other -- I had another  
15 function that I had to, you know, do stuff  
16 with -- well, not do stuff but like on Saturday  
17 afternoons, I had a mentoring program that I  
18 would mentor little kids so that would -- I  
19 think I had a one-on-one with kids in my  
20 organization. So I had other -- that's what I  
21 mean by other commitments.  
22 Q. Okay. So you didn't think anything  
23 negative about you not -- you didn't have the  
24 time to work on the campaign is why you didn't  
25 do it; is that correct?

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1 A. I had other commitments to do. I  
2 know the senior officials were asking me, okay  
3 can you help out, and I got other commitments to  
4 do.

5 Q. Okay. All right. And you didn't  
6 think by not doing that would be any adverse  
7 impact on your employment, did you?

8 A. I didn't -- I didn't really give  
9 that a thought to whether it was adverse effect  
10 or not. I just came to the conclusion why am I  
11 let go. It had to be for a reason, you know,  
12 like, did the sheriff find out something about  
13 me that I was, you know, supporting Jim Adams or  
14 something like that. So, and that was a -- he  
15 had no other reasons to let me go other than the  
16 fact that he found out I was supporting him.

17 Q. But you weren't supporting Jim  
18 Adams?

19 A. Well, I supported him in the fact  
20 that I thought maybe he would, you know, he --  
21 he - he -- he could make a better candidate than  
22 the sheriff was at that time. So I didn't --

23 Q. I didn't mean to cut you off. You  
24 can finish.

25 A. Okay.

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1 MR. SHOEMAKER: Finish your answer.

2  
3 BY MR. ROSEN:

4 Q. You can finish?

5 A. Yeah, I mean, to me, at that time,  
6 he -- he would, you know, make a better  
7 candidate than Sheriff Roberts, so in a sense  
8 yes, I was supporting him that way.

9 Q. So you tell me this now after the  
10 break you spoke with your attorney.

11 A. No. I said in other words, yeah.

12 Q. Okay.

13 A. I was supporting him in that realm  
14 because there was no other -- there was no other  
15 explanation that I can think of. The fact that  
16 Debra Davis was working on his campaign. And  
17 I'm just saying, well, I didn't do anything  
18 other than the fact that he connected me with  
19 that, thinking that I was going to, you know,  
20 support him, so that's the only reason.

21 Q. Well, you didn't do anything to  
22 support Mr. Adams, did you?

23 A. I didn't do anything to support  
24 Mr. Adams, no. Other than the fact that, you  
25 know, he was thinking that I was out there, but

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1 I didn't -- I didn't go out campaigning or  
2 anything like that.

3 MR. ROSEN: Okay. I don't have any  
4 further questions.

5 THE WITNESS: Okay. But it was  
6 just like.  
7

8 BY MR. ROSEN:

9 Q. You can finish.

10 A. Okay. His impression was that I  
11 was supporting him. And I'm saying, yeah, he's,  
12 in a sense, you know, I guess if you look back  
13 on it, yes, I -- I -- I was -- I was supporting  
14 him.

15 Q. You didn't tell me that originally,  
16 did you?

17 A. Well, I told you.

18 Q. Okay. All right. Let me ask you  
19 this: What evidence do you have that Sheriff  
20 Roberts knew you were supporting Mr. Adams'  
21 campaign in 2009?

22 A. The fact that I can just relate it  
23 to what I just said before, that he knew Debra  
24 Davis, and he was his campaign manager or  
25 treasurer, and that linked me -- her to me. And

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1 in his opinion, he probably thought I was -- I  
2 was, you know, supporting him.

3 MR. ROSEN: Okay. All right. I  
4 have no further questions.

5 MR. SHOEMAKER: I have nothing  
6 further. You have the right to waive your  
7 review of this or to review it before it's  
8 finalized. I would advise you to review  
9 the transcript before it's finalized, and  
10 you can tell the court reporter that.

11 THE WITNESS: Yes, I would like to  
12 review it before it's finalized.

13 (The deposition concluded at 10:40  
14 a.m.)  
15

16 -----oOo-----  
17  
18  
19  
20  
21  
22  
23  
24  
25

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1 CERTIFICATE

2

3 COMMONWEALTH OF VIRGINIA

4 CITY OF NEWPORT NEWS, to-wit:

5

6 I, Marjorie F. Ingram, Court Reporter,

7 certify that the foregoing deposition of

8 Bobby Bland was duly sworn to before me and taken

9 by me at the time and place and for the purpose in

10 the caption mentioned.

11 I further state that I am not a relative or

12 employee or attorney or counsel of any of the

13 parties, or a relative or employee of such attorney

14 or counsel, or financially interested in the

15 action.

16 Given under my hand this

17 day of , 2011.

18

19

20

21 \_\_\_\_\_

Notary Public

22

23 Registration Number: 195724

24 My commission expires 9-30-2014.

25

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1 INGRAM REPORTING

2 2520 Queens Elm Place

3 Virginia Beach, Virginia 23454

4

5

6 September 6, 2011

7

8

9 Bobby Bland

10 %James H. Shoemaker, Jr.

11 12350 Jefferson Avenue, Ste. 300

12 Newport News, Virginia 23602

13 Dear Mr. Bland,

14 Your deposition taken on August 22, 2011,

15 in the matter of Bobby Bland, et al v B. J.

16 Roberts, et al is enclosed for your review and

17 signature. Please sign the deposition on Page 92

18 where it says deponent. Do not write in the

19 transcript. There is an errata sheet attached for

20 any corrections you may wish to make. Please return

21 to me the original signature page and errata sheet

22 so that I may forward them to counsel.

23 According to the Rules of Court, you have 30

24 days to attend to this matter.

25

Sincerely,

MARJORIE F. INGRAM

Court Reporter

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1 I, Bobby Bland, have read

2 the foregoing deposition this \_\_\_\_\_ day of

3 \_\_\_\_\_, 2011; and the same is true

4 and correct to the best of my knowledge.

5

6

7 \_\_\_\_\_

DEPONENT

8

9

10

11 CITY OF

12 STATE OF

13

14 I hereby certify that Bobby Bland

15 appeared before me this \_\_\_\_\_ day of

16 \_\_\_\_\_, 2011, and affixed his/her signature

17 to the foregoing deposition.

18

19

20

21 \_\_\_\_\_

Notary Public

22

23

24 My commission expires:

25

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1 ERRATA SHEET

2

3

4 PAGE LINE CHANGE TO READ

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INGRAM REPORTING  
Virginia Beach, Virginia